
TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Final Rule
LSA Document #11-590(F)

DIGEST

Amends [170 IAC 1-1.1-7](#) regarding attorney appearances in commission proceedings. Effective 30 days after filing with the Publisher.

[170 IAC 1-1.1-7](#)

SECTION 1. [170 IAC 1-1.1-7](#) IS AMENDED TO READ AS FOLLOWS:

[170 IAC 1-1.1-7](#) Attorneys; representation; withdrawal of appearance

Authority: [IC 8-1-1-3](#); [IC 8-1-2-47](#)

Affected: [IC 8-1-1-5](#); [IC 8-1-1.1-5.1](#)

Sec. 7. (a) Any person filing an appearance pro se to represent his or her own interest is required to:

- (1) sign and verify any pleadings or documents in accordance with section 8(d) of this rule; and
- (2) comply with all rules applicable to commission proceedings.

(b) The interest of another person or entity may only be represented by an attorney admitted to practice before the ~~supreme court of Indiana~~ **supreme court** in good standing.

(c) An attorney **that is** not admitted to practice before the ~~supreme court of Indiana~~ **supreme court** in good standing, but admitted to practice before the Supreme Court of the United States, or the highest court of any other **is a member of the bar of another** state or territory of the United States in good standing, may appear at the discretion of the presiding officer before the commission upon filing a verified petition for limited admission to practice before the commission that meets the requirements of **or the District of Columbia must apply for and receive temporary admission through** the Indiana Rules for Admission to the Bar and the Discipline of Attorneys Rule 3, Section 2(a). **2 prior to practicing law before the commission.** Upon being granted limited admission to practice before the commission, an attorney must **do the following:**

(1) File the following with the commission prior to appearing in a cause:

(A) An appearance in the cause.

(B) A copy of the notice of temporary admission filed with the clerk of the Indiana supreme court.

(2) Appear with co-counsel admitted to practice in Indiana at any hearing. Pending approval of the petition, such an attorney may be permitted to appear, at **unless authorized by** the discretion of a presiding officer, at any hearing. **officers to appear at the hearing without the presence of co-counsel.** Local counsel shall:

- ~~(1)~~ **(A)** sign all briefs, papers, and pleadings in such cause; and
- ~~(2)~~ **(B)** be jointly responsible therefor.

(d) Any withdrawal of appearance by an attorney on behalf of any party must:

- (1) comply with the Indiana Rules of Professional Conduct;
- (2) be in writing; and
- (3) be granted by leave of the presiding officer.

(e) Except for good cause shown, a request for withdrawal of appearance by an attorney must be filed with the commission at least ten (10) days prior to the next scheduled hearing date.

(Indiana Utility Regulatory Commission; [170 IAC 1-1.1-7](#); filed Oct 30, 2000, 2:10 p.m.: 24 IR 656; readopted filed Apr 6, 2006, 11:00 a.m.: 29 IR 2670; filed May 21, 2008, 9:29 a.m.: [20080618-IR-170070514FRA](#); readopted filed Jun 14, 2012, 3:04 p.m.: [20120711-IR-170120199RFA](#); filed Jul 9, 2012, 2:57 p.m.: [20120808-IR-170110590FRA](#))

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Notice of Intent: [20111012-IR-170110590NIA](#)

Proposed Rule: [20120321-IR-170110590PRA](#)

Hearing Held: April 23, 2012

Approved by Attorney General: July 2, 2012

Approved by Governor: July 9, 2012

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Documents Incorporated by Reference: Indiana Rules for Admission to the Bar and the Discipline of Attorneys, Rule 3, Section 2

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